

# HOUSE BILL 1275

E4, J1

3lr1838

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By: **Delegates Cardin, Bobo, Frick, A. Kelly, Niemann, Stukes, V. Turner, and Vaughn**

Introduced and read first time: February 8, 2013

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Regulated Firearms – Firearm and Permit Surcharge**

3 FOR the purpose of requiring a certain surcharge to be imposed on certain regulated  
4 firearm purchases and certain handgun permit applications; requiring all  
5 money received from the surcharge to go into a certain fund; requiring the  
6 Department of State Police in collaboration with the Department of Health and  
7 Mental Hygiene to adopt certain regulations; establishing the Mental Health  
8 Services Fund as a special, nonlapsing fund; specifying the purpose of the Fund;  
9 requiring the Secretary of Health and Mental Hygiene to administer the Fund;  
10 specifying the contents of the Fund; specifying the purpose for which the Fund  
11 may be used; providing for the investment of money in and expenditures from  
12 the Fund; requiring the Secretary of Health and Mental Hygiene to prepare a  
13 report to be submitted to the General Assembly and the Department of  
14 Legislative Services on the Fund; providing that any unspent portion of the  
15 Fund may not be transferred to the General Fund; defining a certain term; and  
16 generally relating to a surcharge on firearms and permits.

17 BY adding to

18 Article – Public Safety  
19 Section 5–142.1 and 5–309.1  
20 Annotated Code of Maryland  
21 (2011 Replacement Volume and 2012 Supplement)

22 BY adding to

23 Article – Health – General  
24 Section 10–906  
25 Annotated Code of Maryland  
26 (2009 Replacement Volume and 2012 Supplement)

27 BY repealing and reenacting, with amendments,

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – State Finance and Procurement  
2 Section 6–226(a)(2)(ii)69. and 70.  
3 Annotated Code of Maryland  
4 (2009 Replacement Volume and 2012 Supplement)

5 BY adding to  
6 Article – State Finance and Procurement  
7 Section 6–226(a)(2)(ii)71.  
8 Annotated Code of Maryland  
9 (2009 Replacement Volume and 2012 Supplement)

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
11 MARYLAND, That the Laws of Maryland read as follows:

12 **Article – Public Safety**

13 **5–142.1.**

14 (A) IN ADDITION TO THE APPLICATION FEE REQUIRED UNDER § 5–118  
15 OF THIS SUBTITLE, A SURCHARGE OF \$10 SHALL BE IMPOSED ON EVERY RETAIL  
16 PURCHASE OF A REGULATED FIREARM.

17 (B) ALL MONEY RECEIVED FROM THE SURCHARGE SHALL BE  
18 DEPOSITED INTO THE MENTAL HEALTH SERVICES FUND UNDER § 10–906 OF  
19 THE HEALTH – GENERAL ARTICLE.

20 (C) THE SECRETARY, IN COLLABORATION WITH THE DEPARTMENT OF  
21 HEALTH AND MENTAL HYGIENE, SHALL ADOPT REGULATIONS NECESSARY TO  
22 CARRY OUT THIS SECTION.

23 **5–309.1.**

24 (A) IN ADDITION TO THE APPLICATION FEES REQUIRED BY § 5–304 OF  
25 THIS SUBTITLE, A SURCHARGE OF \$25 SHALL BE IMPOSED ON EVERY:

26 (1) INITIAL PERMIT; AND

27 (2) RENEWAL OR SUBSEQUENT PERMIT.

28 (B) ALL MONEY RECEIVED FROM THE SURCHARGE SHALL BE  
29 DEPOSITED IN THE MENTAL HEALTH SERVICES FUND UNDER § 10–906 OF THE  
30 HEALTH – GENERAL ARTICLE.



